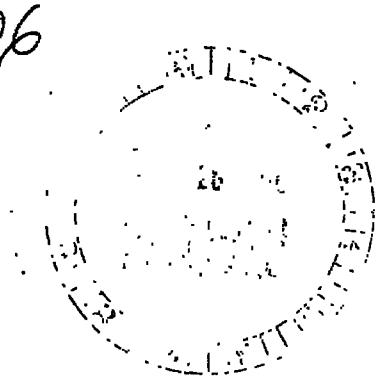


MAR 26 2010

Part of  
Public Record

226706



**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**STB DOCKET NO. AB-290 (Sub- No. 311X)**

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**NORFOLK SOUTHERN RAILWAY COMPANY  
PETITION FOR EXEMPTION  
ABANDONMENT OF RAIL FREIGHT SERVICE OPERATION –  
IN THE CITY OF BALTIMORE, MD AND BALTIMORE COUNTY, MARYLAND**

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**SECOND NOTICE OF INTENT TO PARTICIPATE AS A PARTY OF RECORD**

**MOTION TO AMEND JANUARY 5, 2010 NOTICE OF INTENT  
TO PARTICIPATE AS A PARTY OF RECORD**

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1. I, Carl Delmont, whose address is 'Ste 200, 50 Scott Adam Road, Cockeysville, MD 21030, herewith give this Second Notice of Intent to Participate as a Party of Record in the above entitled proceeding, and move to Amend my January 5, 2010 Notice of Intent to Participate as a Party of Record.

2. This Second Notice of Intent to Participate as a Party of Record is being filed in response to the Board's March 22, 2010 decision wherein the Board struck my January 5, 2010 Notice of Intent to Participate as a Party of Record. In its March 22, 2010 Decision, the STB stated that I had failed to properly identify myself, even though I gave my name and the address where I wanted all documents, filings or decisions served, on the first page of my January 5, 2010 Notice of Intent to Participate as a Party of Record, as required by 49 CFR 1104.1(b), and even though I signed my Notice of Intent to Participate as a Party of Record in ink, as required by 49 CFR 1104.4(b)(1), and provided my address, as required by 1104.4(b)(2). Since my Notice of Intent to

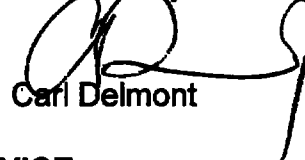
Participate as a Party of Record did not contain any facts, it did not need to be verified as required by 1104.4(b)(3).

3. It would appear that the STB, Norfolk Southern Railway Company, and the Maryland Transit Administration do not want me receiving service at the same address that James Riffin receives service, and want me to submit documents and pleadings separate and apart from documents and pleadings submitted by the other individuals who desire to jointly submit an Offer of Financial Assistance. With that in mind, please amend the service address listed in my January 5, 2010 Notice of Intent to Participate as a Party of Record to:

Carl Delmont  
Ste 200  
50 Scott Adam Road  
Cockeysville, MD 21030  
(410) 628-0500

4. I, the undersigned, declare under the penalty of perjury that the information contained in the foregoing Second Notice of Intent to Participate as a Party of Record, is true and correct to the best of my knowledge, information and belief. Further, I certify that I am qualified and authorized to file this Notice.

Respectfully submitted,



Carl Delmont

**CERTIFICATE OF SERVICE**

I hereby certify that on this 25<sup>th</sup> day of March, 2010, a copy of the foregoing Second Notice of Intent to Participate as a Party of Record, was served by first class mail, postage prepaid, upon James R. Paschall, Senior General Attorney, Norfolk Southern Corporation, Law Department, Three Commercial Place, Norfolk, VA 23510-9241, and upon Charles A. Spitulnik, STE 800, 1001 Connecticut Avenue, NW, Washington, DC 20036, counsel for the MTA.



Carl Delmont